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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 09/755,769   | 01/04/2001  | Omar H. Shahine      | 149483.1LH&D No.<br>MCS-053- | 3165             |
| 27662  | 7590        | 06/17/2004           | EXAMINER                     |                  |
| LYON & HARR, LLP<br>300 ESPLANADE DRIVE, SUITE 800<br>OXNARD, CA 93036 |             |                      | NGUYEN, LE V                 |                  |
|  |             |                      | ART UNIT                     | PAPER NUMBER     |
|  |             |                      | 2174                         |                  |

DATE MAILED: 06/17/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/755,769

Applicant(s)

SHAHINE ET AL. 

Examiner

Le Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This communication is responsive to an amendment, filed 4/23/04.
2. Claims 1-57 are pending in this application. Claims 1, 27, 30, 35-38, 40, 44, 45, 49-52 have been amended.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### *Claim Rejections - 35 USC § 103*

4. Claims 1-4, 7-15, 17-19, 23, 27-28, 31-39, 42, 45-47 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith") in view of Screen Dumps of Microsoft Windows Version 4.0 ("MS Win").

As per claim 1, Smith teaches a system for automatically displaying data objects on a computer display device comprising automatically associating a priority with each data object in a set of data objects, dynamically populating the display device by arranging a position of data objects within the visible display area of the display device beginning with a data object having a highest priority (figs. 8B, 12A and 15B; col. 7, lines 1-14; col. 8, lines 25-28; *dynamically populating the display device by arranging a position of data objects within the visible display area of the display device beginning with a data object having a highest priority* "BRIAN BEATON" of fig. 15B) and continuing to automatically arrange a position of one or more of the data objects having a next highest priority until available space within the visible display area of the display device has been filled with data objects (figs. 8B; col. 7, lines 17-23). Smith does not

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explicitly disclose the automatically arranged position of data objects within the visible display are to be not predefined and continuing to dynamically populate the display device by continuing to automatically arrange a (non-predefined) position of one or more of the data objects having a next highest priority until available space within the visible display area of the display device has been filled with data objects. MS Win teaches a system for automatically displaying data objects on a computer display device comprising automatically associating a priority with each data object in a set of data objects, dynamically populating the display device by arranging a position of data objects within the visible display area of the display device beginning with a data object having a highest priority wherein the automatically arranged position of data objects within the visible display area is not predefined (figs. 1-4; *populating the display device with "New Data Object" 110 and selecting 310, "Arranging icons > by Name", allows data objects to be automatically arranged within the visible display area of the display device beginning with a data object having a highest priority 410, "bcbs1", wherein the automatically arranged position is not predefined but defined upon selecting 310*) and continuing to dynamically populate the display device by continuing to automatically arrange a position of one or more of the data objects having a next highest priority until available space within the visible display area of the display device has been filled with data objects (figs. 1-4; *by duplicating the steps demonstrated in figs. 1-3, users may continue to dynamically populate the display device by continuing to automatically arrange a position of one or more of the data objects having a next highest priority until available space within the visible display area of the display device has been filled with data objects as in fig. 4 ending with data object "parrots" 420*). Therefore, it would have been obvious to an artisan at the time of the invention to include MS Win's teaching of

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automatically arranged position of data objects within the visible display are to be not predefined and continuing to dynamically populate the display device by continuing to automatically arrange a (non-predefined) position of one or more of the data objects having a next highest priority until available space within the visible display area of the display device has been filled with data objects to Smith's teaching of automatically associating a priority with each data object in a set of data objects and continuing to automatically arrange a position of one or more of the data objects having a next highest priority until available space within the visible display area of the display device has been filled with data objects to allow users greater customization capabilities of their display area.

As per claim 2, the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein the priority associated with each data object is based on a pre-designated priority list (MS Win: fig. 3, *list 320*; Smith: fig. 12A; col. 8, lines 25-28).

As per claim 3, the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein the priority associated with each data object is based on a pre-designated priority list (Smith: fig. 12A; col. 8, lines 25-28) wherein the priority associated with each data object is changeable (MS Win: fig. 3; *priority 310 can be changed to another priority on the list 320 such as "by Type"*).

As per claim 4, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein the dynamic population of the display device is automatically and dynamically updated when a priority associated with a data object is changed (MS Win: figs. 5-6).

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As per claim 7, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein the dynamic population of the display device further comprises not displaying data objects that do not contain data (Smith: fig. 18B).

As per claim 9, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein the dynamic population of the display device is automatically updated when the data comprising a data object is changed (Smith: col. 8, lines 3-10; figs. 7, 8A-8D, 10 and 12A-12C; *data such as icons and contact information may be created or modified via screen 1010*).

As per claims 8 and 10, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein data comprising each data object is changeable and wherein data objects are editable (Smith: col. 8, lines 3-10; figs. 7, 8A-8D, 10 and 12A-12C; *data such as icons and contact information may be created or modified via screen 1010*).

As per claims 11 and 12, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein data objects are editable, added and deleted via a user interface (Smith: col. 8, lines 3-10; figs. 7, 8A-8D, 10 and 12A-12C; *data such as icons and contact information may be created or modified via screen 1010*).

As per claim 13, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein the data objects are stored in at least one electronic database (Smith: col. 3, lines 25-26).

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As per claims 14, 15 and 17, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein the available space on the computer display device is adjustable wherein the dynamic population of the display device is automatically and dynamically updated when the available space on the computer display device is adjusted via a user interface (MS Win: figs. 6-7; *space 610 is adjusted as reflect by space 710*; Smith: col. 7, lines 17-20 and col. 12, lines 63-64).

As per claims 18 and 19, the modified method of Smith teaches a system for automatically displaying data objects on a computer display device further comprises automatically arranging the position of displayed data objects in a single column and in at least one column (Smith: figs. 6 and 15A; col. 6, lines 47-49; *automatically arranging the position of data objects listed in table 600 such as "NAME" in a single column*).

As per claim 23, the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein each displayed data object has an associated action button selectable via a user interface for performing specific actions relative to each displayed data object (Smith: figs. 7, 8A-8D, 10, 12A-12C and 13A; col. 7, lines 43-45 and lines 50-56; col. 9, lines 16-22 and lines 28-30).

As per claim 27, Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book comprising selecting a contact in the electronic address book via a user interface, the contact including at least one element of contact information, and wherein each contact element includes an associated priority, providing a display area within a computer display device for displaying one or more elements of the contact information, and automatically determining and arranging a position of at

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least one of the elements of the contact information within the display area for dynamically generating a priority-based layout of contact elements within the display area using individual elements of the contact information in order of higher priority to lower priority (figs. 8B, 12A and 15B; col. 7, lines 1-14; col. 8, lines 25-28; col. 3, lines 13-15; col. 7, lines 17-19). Smith does not explicitly disclose a layout of displayed elements of the contact information within the display area not being predefined with lower priority element of the contact information being displayed only when available space exists within the display area. MS Win teaches a layout of displayed elements of the contact information within the display area is not predefined (figs. 1-4; *populating the display device with "New Data Object" 110 and selecting 310, "Arranging icons > by Name", allows data objects to be automatically arranged within the visible display area of the display device beginning with a data object having a highest priority 410, "bcbs1", wherein the automatically arranged position is not predefined but defined upon selecting 310*) with lower priority element of the contact information being displayed only when available space exists within the display area (figs. 1-4; *dynamically populating the display device by continuing to automatically arrange a position of one or more of the data objects having a next highest priority until available space within the visible display area of the display device has been filled with data objects as in fig. 4 ending with data object "parrots" 420*). Therefore, it would have been obvious to an artisan at the time of the invention to include MS Win's teaching of a layout of displayed elements of the contact information within the display area not being predefined with lower priority element of the contact information being displayed only when available space exists within the display area to Smith's teaching of generating a priority-based layout of contact elements within the display area using individual elements of the contact information in order of



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higher priority to lower priority to allow users greater customization capabilities of their display area in a limited display area.

As per claim 28, the modified Smith teaches a process for automatically displaying contact information for contacts in an electronic address book wherein the priority associated with each individual element of the contact information is automatically assigned to each element (Smith: col. 8, lines 60-61 and 64-65).

As per claim 31, the modified Smith teaches a process for automatically displaying contact information for contacts in an electronic address book wherein individual elements of the contact information are not dynamically displayed regardless of priority if the individual elements of the contact information are not populated (Smith: fig. 18B).

As per claim 32, the modified method of Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book comprising automatically populating at least one of the individual elements of the contact information from data in an electronic database (Smith: col. 3, lines 25-26).

As per claim 33, the modified Smith teaches a process for automatically displaying contact information for contacts in an electronic address book comprising manually populating at least one of the individual elements of the contact information via the user interface (Smith: figs. 8A-8D, 10, 12A-12C *and respective portions of the specification*).

As per claim 34, the modified Smith teaches a process for automatically displaying contact information for contacts in an electronic address book comprising editing at least one of the individual elements of the contact information via the user interface (Smith: col. 9, line 66 through col. 10, line 8).

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As per claim 35, the modified Smith teaches a process for automatically displaying contact information for contacts in an electronic address book comprising dynamically updating the arrangement of the individual elements of the contact information when any of the individual elements of the contact information is changed (Smith: col. 10, lines 6-8).

As per claim 36, the modified method of Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book comprising automatically updating the priority-based layout of the individual elements of the contact information when any of the priorities associated with any of the individual elements of the contact information is changed (MS Win: figs. 5-6).

As per claims 37 and 38, the modified method of Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book comprising adjusting the available space of the display area on the computer display device and dynamically updating the priority-based layout of the individual elements of the contact information when the available space of the display area of the computer display device is adjusted (MS Win: figs. 6-7; *space 610 is adjusted as reflect by space 710*; Smith: col. 7, lines 17-20 and col. 12, lines 63-64).

As per claim 39, the modified method of Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book wherein the individual elements of the contact information are automatically arranged in at least one column on the computer display device (Smith: figs. 6 and 15A; col. 6, lines 47-49; *automatically arranging the position of data objects listed in table 600 such as "NAME" in a single column*).

As per claim 42, the modified Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book wherein each displayed data object has an associated action button selectable via a user interface for performing specific actions relative to each displayed data object (Smith: figs. 7, 8A-8D, 10, 12A-12C and 13A; col. 7, lines 43-45 and lines 50-56; col. 9, lines 16-22 and lines 28-30).

Claim 45 is similar in scope to the combination of claims 1 and 27 and is therefore rejected under similar rationale.

As per claim 46, the modified Smith teaches a computer-readable medium having computer executable instructions for dynamically displaying a subset of at least one data element from a set of data elements on a computer display device wherein the priority associated with each data object is based on a pre-designated priority list (MS Win: fig. 3, *list 320*; Smith: fig. 12A; col. 8, lines 25-28).

As per claim 47, although the modified Smith teaches a computer-readable medium having computer executable instructions for dynamically displaying a subset of at least one data element from a set of data elements on a computer display device assigning a priority to each data element comprises prioritizing each data element via a user interface (MS Win: figs. 1-4; *via the user interface, a priority is assigned to each data element*).

As per claim 55, the modified Smith teaches a computer-readable medium having computer executable instructions for dynamically displaying a subset of at least one data element from a set of data elements on a computer display device wherein at least one action button is displayed adjacent to each displayed data element, and wherein each action button is capable of initiating computer executable instructions when selected via a user interface (Smith: figs. 7, 8A-

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8D, 10, 12A-12C and 13A; col. 7, lines 43-45 and lines 50-56; col. 9, lines 16-22 and lines 28-30).

5. Claims 5-6, 16 and 48-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith", US 5,923,327) in view of Screen Dumps of Microsoft Windows Version 4.0 ("MS Win") as applied to claims 1, 27 and 45, and further in view of Baldwin et al. ("Baldwin", US 6,496,201 B1).

As per claims 5 and 6, although the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein the priority associated with each data object is configured via a user interface (Smith: fig. 12A; col. 8, lines 25-28), the modified Smith does not explicitly disclose the priority associated with each data object is automatically determined based upon a frequency of use for each data object. Baldwin teaches a system for automatically displaying data objects on a computer display device wherein the priority associated with each data object is automatically determined based upon a frequency of use for each data object (fig. 3; col. 4, line 57 through col. 5, line 10). Therefore, it would have been obvious to an artisan at the time of the invention to include Baldwin's teaching of a system for automatically displaying data objects on a computer display device wherein the priority associated with each data object is automatically determined based upon a frequency of use for each data object to the modified Smith's teaching of a system for automatically displaying data objects on a computer display device in order to provide users with quick access to frequently retrieved information.

As per claim 16, although the modified method of Smith teaches a system for automatically displaying data objects on a computer display device wherein the available space

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on the computer display device is adjusted via a user interface (MS Win: figs. 6-7; *space 610 is adjusted as reflect by space 710*) and a portion of a display area is adjusted automatically (Smith: col. 7, lines 17-20 and col. 12, lines 63-64; *automatic expansion and compression of the directory*), the modified Smith does not explicitly disclose the available space on the computer display device is adjusted automatically. Baldwin teaches available space on the computer display device being adjusted automatically (col. 6, lines 12-48). Therefore, it would have been obvious to an artisan at the time of the invention to include Baldwin's available space on the computer display device being adjusted automatically to the modified Smith's available space on the computer display device being adjusted via a user interface and a portion of a display area being adjusted automatically so that available space on the display may be considered in determining user's area of focus without additional steps on the user's part.

Claim 48 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 49 is similar in scope to claim 9 and is therefore rejected under similar rationale.

Claims 50 and 51 in combination is similar in scope to the combination of claims 11 and 12 and is therefore rejected under similar rationale.

Claim 52 is similar in scope to the combination of claims 14 and 15 and is therefore rejected under similar rationale.

6. Claims 20-22, 40-41 and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith", US 5,923,327) in view of Screen Dumps of Microsoft Windows Version 4.0 ("MS Win") as applied to independent claims 1, 27 and 45, and further in view of Shirakawa (US 5,956,738).

As per claim 20, the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein a dynamic population of the display device comprises automatically arranging a position of displayed data objects into columns and wherein the available space on the computer display device is adjustable (Smith: col. 7, lines 17-20 and col. 12, lines 63-64). The modified Smith does not explicitly disclose a system for automatically displaying data objects on a computer display device wherein a number of columns for displaying data objects is determined by automatically computing the number of columns that will fit within the available space on the computer display device. Shirakawa teaches a system for automatically displaying data objects on a computer display device comprising dynamically populating the display device with data objects comprising the dynamic population of the display device comprises automatically arranging displayed data objects based on a priority wherein a number of columns for displaying data objects is determined by automatically computing the number of columns that will fit within the available space on the computer display device (Abstract). Therefore, it would have been obvious to an artisan at the time of the invention to include Shirakawa's teaching of a system for automatically displaying data objects wherein a number of columns for displaying data objects is determined by automatically computing the number of columns that will fit within the available space on the computer display device to the modified Smith's teaching of a system for automatically displaying data objects on a computer display device wherein a dynamic population of the display device comprises automatically arranging a position of displayed data objects into columns and wherein the available space on the computer display device is adjustable in order to provide users with a layout method that

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efficiently makes use of available space and in turn reduces the need for human intervention by automating this process.

As per claim 21, the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein the width of each column is fixed (Shirakawa: col. 12, lines 9-11).

As per claim 22, the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein the width of each column is automatically determined by computing the minimum width required for displaying prioritized data objects in each column (Shirakawa: col. 15, lines 23-25).

As per claims 40 and 41, the modified Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book wherein a dynamic population of the display device comprises automatically arranging a position of displayed data objects into columns and wherein the available space on the computer display device is adjustable (Smith: col. 7, lines 17-20 and col. 12, lines 63-64). The modified Smith does not explicitly disclose the number of columns on the computer display device is automatically determined based on a width of the available space of the display area on the computer display device and wherein a width of each column is automatically determined based on the minimum width of the individual elements of the contact information that are automatically arranged in each column. Shirakawa teaches a system for automatically displaying data objects on a computer display device wherein a number of columns the number of columns on the computer display device is automatically determined based on a width of the available space of the display area on the computer display device, *i.e.* computing the number of columns

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that will fit within the available space on the computer display device (Abstract), and wherein a width of each column is automatically determined based on the minimum width of the individual elements of the contact information that are automatically arranged in each column (Shirakawa: col. 15, lines 23-25). Therefore, it would have been obvious to an artisan at the time of the invention to include Shirakawa's teaching of a system for automatically displaying data objects wherein a number of columns for displaying data objects is determined by automatically computing the number of columns that will fit within the available space on the computer display device and wherein a width of each column is automatically determined based on the minimum width of the individual elements of the contact information that are automatically arranged in each column to the modified Smith's teaching of a system for automatically displaying data objects on a computer display device wherein a dynamic population of the display device comprises automatically arranging a position of displayed data objects into columns and wherein the available space on the computer display device is adjustable in order to provide users with a layout method that efficiently makes use of available space and in turn reduces the need for human intervention by automating this process.

Claims 53 and 54 in combination is similar in scope to claim 22 and is therefore rejected under similar rationale.

7. Claims 24-25 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith", US 5,923,327) in view of Screen Dumps of Microsoft Windows Version 4.0 ("MS Win") as applied to claims 1 and 27, and further in view of Fernandes (US 6,014,135).

As per claim 24, although the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein a representation of the displayed



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data objects is displayed on the computer display device (Smith: figs. 7, 8A-8D, 10, 12A-12C and 13A). <sup>the modified</sup> Smith does not explicitly disclose a system wherein the representation is a picture representing the displayed data objects being displayed on the computer display device.

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Fernandes teaches a system for automatically displaying data objects on a computer display device wherein a picture representing the displayed data objects is displayed on the computer display device (Abstract; fig. 3, *element 40*). Therefore, it would have been obvious to an artisan at the time of the invention to include Fernandes teaching of a system for automatically displaying data objects on a computer display device wherein a picture representing the displayed data objects being displayed to the modified Smith's teaching of a system for automatically displaying data objects on a computer display device wherein a representation of the displayed data objects in order to provide users with a more life-like representation of the data object.

As per claim 25, the modified Smith teaches a system for automatically displaying data objects on a computer display device wherein the picture is chosen via a user interface (Fernandes: col. 10, lines 14-16).

As per claim 43, the modified Smith teaches a computer-implemented process for automatically displaying contact information for contacts in an electronic address book wherein a representation of the displayed data objects is displayed on the computer display device (Smith: figs. 7, 8A-8D, 10, 12A-12C and 13A). Smith does not explicitly disclose a system wherein the representation is an image representing the displayed data objects being displayed on the computer display device. Fernandes teaches a system for automatically displaying data objects on a computer display device wherein an image representing the displayed data objects is

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displayed on the computer display device (Abstract; fig. 3, *element 40*). Therefore, it would have been obvious to an artisan at the time of the invention to include Fernandes teaching of a system for automatically displaying data objects on a computer display device wherein an image representing the displayed data objects being displayed to the modified Smith's teaching of a system for automatically displaying data objects such as contact information for contacts in an electronic address book on a computer display device wherein a representation of the displayed data objects in order to provide users with a more life-like representation of the data object.

8. Claims 26 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith", US 5,923,327) in view of Screen Dumps of Microsoft Windows Version 4.0 ("MS Win") as applied to claims 1 and 27, and further, in view of Fernandes (US 6,014,135) as applied to the above claims 25 and 43, and further in view of Shirakawa (US 5,956,738).

As per claims 26 and 44, the modified Smith teaches a system and computer-implemented process for automatically displaying data objects and contact information for contacts in an electronic address book on a computer display device wherein a picture representing the displayed data objects is displayed on the computer display device (Fernandes: Abstract; fig. 3, *element 40*) wherein the picture has an associated priority and wherein the picture representing data objects being displayed only when available space exists on the computer display device (Smith: col. 7, lines 17-20). The modified Smith does not explicitly disclose the picture representing data objects being displayed only when available space exists on the computer display device after displaying all higher priority data objects. Shirakawa teaches a system for automatically displaying data objects on a computer display device comprising dynamically populating the display device with data objects comprising the dynamic

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population of the display device comprises automatically arranging displayed data objects based on a priority wherein the data objects is displayed after displaying all higher priority data objects (col. 17, lines 8-25). Therefore, it would have been obvious to an artisan at the time of the invention to include Shirakawa's teaching of automatically arranging displayed data objects based on a priority wherein the data objects is displayed after displaying all higher priority data objects to Smith's teaching of automatically displaying data objects on a computer display device wherein a picture representing the displayed data objects is displayed on the computer display device wherein the picture has an associated priority and wherein the picture representing data objects being displayed only when available space exists on the computer display device in order to provide users with control according to layout preference.

9. Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith", US 5,923,327) in view of Screen Dumps of Microsoft Windows Version 4.0 ("MS Win") as applied to claim 27, and further in view of Cushman et al. ("Cushman", US 6,125,287).

As per claims 29 and 30, the modified Smith teaches a process for automatically displaying contact information for contacts in an electronic address book wherein the priority associated with each individual element of the contact information is automatically assigned to each element (Smith: col. 8, lines 60-61 and 64-65). The modified Smith does not explicitly disclose a process wherein the priority associated with or assigned to each individual element of the contact information is manually assigned to each element via the user interface. Cushman teaches a process for automatically displaying contact information for contacts in an electronic address book a process wherein the priority associated with or assigned to each individual element of the contact information is manually assigned to each element via the user interface

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(col. 5, lines 47-65 and col. 4, lines 54-56). Therefore, it would have been obvious to an artisan to include Cushman's teaching of manually assigning elements via a user interface to the modified Smith's teaching of automatic assignments of elements in order to provide users with greater control over prioritizing elements according to each users' needs.

10. Claims 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. ("Smith", US 5,923,327) in view of Screen Dumps of Microsoft Windows Version 4.0 ("MS Win") as applied to claim 45.

As per claims 56 and 57, the modified Smith teaches a computer-readable medium having computer executable instructions for dynamically displaying a subset of at least one data element from a set of data elements on a computer display device wherein the displayed subset of data elements is color-coded and shaded based on a pre-designated category for describing the set of data elements (Smith: col. 7, lines 53-56). The modified Smith does not explicitly disclose the displayed subset of data elements to be automatically color-coded and shaded. Official Notice is given that automating shading and color-coding to a displayed subset of data elements is well known in the art. Therefore, it would have been obvious to an artisan at the time of the invention to include automatically shading and color-coding a displayed subset of data elements to the modified Smith's computer-readable medium having computer executable instructions for dynamically displaying a subset of at least one data element from a set of data elements on a computer display device wherein the displayed subset of data elements is color-coded and shaded based on a pre-designated category for describing the set of data elements in order to quickly implement steps that are routine.

***Response to Arguments***

11. Applicant's arguments with respect to claims 1-57 have been considered but are moot in view of the new ground(s) of rejection, except for the following:

Applicant argued:

(a) In regards to claims 5-6, 16 and 48-52, there must be some suggestion or motivation to modify or to combine reference teachings.

(b) Smith does not disclose "not displaying data objects that do not contain data".

(c) Shirakawa does not appear to compute a number of columns.

(d) Cushman is completely silent as to assigning user defined priorities to entries in the list of frequently called numbers.

The examiner disagrees for the following reasons:

Per (a), in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the modified Smith teaches automatically displaying data objects on a computer display device wherein the priority associated with each data object is configured via a user interface (Smith: fig. 12A; col. 8, lines 25-28) and wherein a portion of a display area is adjusted automatically (Smith: col. 7, lines 17-20 and col. 12, lines 63-64; *automatic expansion and compression of the directory*) while the teaching extracted from Baldwin is for automatically

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displaying data objects on a computer display device wherein the priority associated with each data object is automatically determined based upon a frequency of use for each data object (fig. 3; col. 4, line 57 through col. 5, line 10) and wherein available space on the computer display device being adjusted automatically (col. 6, lines 12-48). Therefore, it would have been *prima facie* obvious to an artisan at the time of the invention to include Baldwin's teaching of a system for automatically displaying data objects on a computer display device wherein the priority associated with each data object is automatically determined based upon a frequency of use for each data object wherein a portion of a display area is adjusted automatically to the modified Smith's teaching of a system for automatically displaying data objects on a computer display device and wherein available space on the computer display device being adjusted automatically in order to provide users with quick access to frequently retrieved information and so that available space on the display may be considered in determining user's area of focus without additional steps on the user's part.

Per (b), Smith teaches creating an EBC wherein a data object such as a home communication address (figs. 6 and 12B) that do not contain data are not displayed (fig. 18B; *while the home communication address of "BOBBY BONITO" is displayed, the home communication address of "ARLAN ANDERSON" having no data associated with it is not displayed*).

Per (c), Shirakawa teaches using data stored about shape restrictions such as the maximum and the minimum length and width ratios and the maximum and minimum character pitches and line intervals as well as the maximum and minimum ratios between the character pitch and line intervals corresponding to the field in order to calculate whether an article

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requiring a width of two columns will fit in column 312 having a width for one column (col. 14, line 65 through col. 15, line 64). Therefore, in order to judge that the article requires a column 310 having a width of two columns, Shirakawa does teach computing a number of columns that will fit within an available space.

Per (d), in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (*i.e.*, *assigning user defined priorities to entries in the list of frequently called numbers*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Cushman teaches the priority associated with each individual element of the contact information is manually assigned to each element via the user interface (col. 5, lines 47-65 and col. 4, lines 54-56; *e.g.* *users manually assign an element to have a first priority and another element to have a second priority*).

### ***Inquires***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN

Patent Examiner

June 5, 2004

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